



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/040,297	10/23/2001	Tal Givoly	XACTP009	3620

28875 7590 10/20/2003

SILICON VALLEY INTELLECTUAL PROPERTY GROUP
P.O. BOX 721120
SAN JOSE, CA 95172-1120

EXAMINER

NGUYEN, HAI V

ART UNIT	PAPER NUMBER
----------	--------------

2142

DATE MAILED: 10/20/2003

7

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/040,297

Applicant(s)

GIVOLY ET AL.

Examiner

Hai V. Nguyen

Art Unit

2142

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5, 6.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This Office Action is in response to the application filed on 23 October 2001.
2. Claims 1-22 are presented for examination.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 7 recites the limitation "The method as recited in claim 1, wherein the services are selected from the group consisting of an hypertext transfer protocol (HTTP) session, electronic mail session, a multimedia streaming session, and voice over Internet Protocol (IP) session" in claim 7. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102(e) that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Art Unit: 2142

6. Claims 1-6, 8-13, 15-20 are rejected under 35 U.S.C. 102(b) as being anticipated by **Sbisa** US patent no. **5,793,853**.

7. As to claim 1, Sbisa, System And Method For Recording Billing Information For A Telecommunications Service Request, teaches substantially the invention as claimed, including a method for generating a single record reflecting multiple services for accounting purposes, comprising:

(a) identifying a plurality of services carried out over a network (Abstract, col. 2, line 27 – col. 3, line 49);

(b) collecting data describing the plurality of services (Abstract, col. 2, line 27 – col. 3, line 49); and

(c) generating a single record including the collected data, wherein the single record represents each of the plurality of services (Abstract, col. 2, line 27 – col. 3, line 49).

8. As to claim 2, Sbisa teaches, and further comprising sending the single record to a Business Support System (col. 6, lines 48-52).

9. As to claim 3, Sbisa teaches, wherein the single record is used to bill at least one recipient of the services (Abstract, col. 6, lines 33-52).

10. As to claim 4, Sbisa teaches, wherein the plurality of services are received by a single party associated with the single record (Abstract, col. 2, line 27 – col. 3, line 49).

11. As to claim 5, Sbisa teaches, wherein the single party is identified in the record (Abstract, col. 2, line 27 – col. 3, line 49).

Art Unit: 2142

12. As to claim 6, Sbisa teaches, and further comprising collecting a plurality of the single records, and generating a distinct record including the collected data of each of the single records, wherein the distinct record represents each of the plurality of single records (Abstract, col. 2, line 27 – col. 3, line 49).

13. Claim 8 lists all the same elements of claim 1, but in computer program product form rather than method of operation form. Therefore, supporting rational of rejection to claim 1 applied equally as well claim 8.

14. Claims 9-13 are substantially the same as claims 2-6 and are thus rejected for reason similar to those in rejection claims 2-6.

15. Claim 15 lists all the same elements of claim 1, but in corresponding system form rather than method of operation form. Therefore, supporting rational of rejection to claim 1 applied equally as well claim 15.

16. Claims 16-20 are substantially the same as claims 2-6 and are thus rejected for reason similar to those in rejection claims 2-6.

Claim Rejections - 35 USC § 103

17. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2142

18. Claims 7, 14, 21, 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sbisa as applied to claims 1-6 above, and further in view of **Voit** et al. US patent no. **6,157,648**.

19. As to claim 7, however, Sbisa does not explicitly disclose, wherein the services are selected from the group consisting of an hypertext transfer protocol (HTTP) session, electronic mail session, a multimedia streaming session, and voice over Internet Protocol (IP) session. Thus, the artisan would have been motivated to look to the related networking management arts for potential methods and apparatus for implementing grouping the services.

In the same field of endeavor, Voit discloses (e.g. network session management) providing telephony communication across combined switched and packet switched networks, such as a telephone network and the Internet, which are connectable to the terminals, such as telephones and computers, for selective communication therebetween (Voit, Abstract, col. 5, lines 50-67).

Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Sbisa teachings of generating a single record (see Sbisa, Abstract, Fig. 2; col. 6, lines 33-61) with the teachings of Voit, for the purpose of scalable basis (Voit, col. 6, lines 1-17).

20. Claim 14 is substantially the same as claim 7 and is thus rejected for reason similar to those in rejection claim 7.

21. Claim 21 is substantially the same as claim 7 and is thus rejected for reason similar to those in rejection claim 7.

Art Unit: 2142

22. As to claim 22, Sbisa-Voit discloses a method for generating a single record reflecting multiple services, comprising:

(a) collecting data with different formats describing a plurality of services, wherein the services are selected from the group consisting of an hypertext transfer protocol (HTTP) session, electronic mail session, a multimedia streaming session, and voice over Internet Protocol (IP) session (Voit, col. 7, line 50 – col. 8, line 10);

(b) collecting data with different formats describing users of the services (Voit, col. 7, line 50 – col. 8, line 10);

(c) generating a single record including the collected data representing each of the services and the users (Sbisa, Abstract, col. 2, line 27 – col. 3, line 49);

(d) collecting a plurality of the single records (Sbisa, Abstract, col. 2, line 27 – col. 3, line 49);

(e) generating a distinct record including the collected data of each of the single records, wherein the distinct record represents each of the plurality of single records (Sbisa, Abstract, col. 2, line 27 – col. 3, line 49); and

(f) sending the distinct record to a Business Support System (Sbisa, col. 6, lines 48-52).

Art Unit: 2142

23. Further references of interest are cited on Form PTO-892, which is an attachment to this action.

24. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hai V. Nguyen whose telephone number is 703-306-0276. The examiner can normally be reached on 7:00-3:30 Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on 703-308-5221. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7240.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3800/4700.

KENNETH R. COULTER
PRIMARY EXAMINER
Kenneth R. Coulter

Hai V. Nguyen
HN
Art Unit 2142

HN